NOTIFICATION 5334

No. L.D. 1524—Legis. 5-51-65, dated Bangalore, 12th November 1951.

Ordered that Notification No. S.R.O. 1526, dated the 26th September 1951, of the Ministry of Finance (Insurance) amending the Insurance Rules 1939, published in the *Gazette of India*, Part II, Section 3, dated the 6th October 1951, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.

GOVERNMENT OF INDIA.

MINISTRY OF FINANCE.

(Department of Economic Affairs)

INSURANCE.

New Delhi, the 26th September 1951.

S.R.O. 1526.—In exercise of the powers conferred by sub-section (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government hereby directs that the following further amendments shall be made in the Insurance Rules, 1939 the same having been previously published as required by sub-section (1) of the said section, namely :—

In the said rules,—

1. For the words "the provinces of India" wherever they occur the words 'the States' shall be substituted.

2. In clause (iv) of sub-rule (1) of rule 19, the words and figures "section 68 and in" shall be omitted.

3. After rule 23, the following rule shall be inserted, namely :—

"23-A. *Security from liquidator.*—Where a liquidator is appointed by the Controller under the provisions of sub-section (1) of section 90 of the Act, the Controller may demand from the liquidator such security and in such form as he may determine."

4. In rule 24-A,—

(i) in sub-rule (2) the words "Agent licence fee" shall be omitted.

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(ii) The following sub-rule shall be added at the end, namely: —

"(3) Where in respect of any fee specified in this rule 'Government of India Insurance' stamps of a greater value than is necessary have been inadvertently used or where the application or letter referring a dispute to the Controller bearing such stamps is not entertained by the Controller under Section 47-A of the Act for any reason, refund may be made of the excess over the necessary fee, or of the value of the stamps affixed, as the case may be."

5. For rule 29, the following rule shall be substituted, namely :—

"29. For the purpose of the Act, the business of an Insurer shall be deemed to be transacted—

(*a*) in India, if the insurance business, wherever effected, relates to any property situate in India or to any vessel or aircraft registered in India;

(*b*) in India or the States, according as the premiums in respect of those transactions are ordinarily paid in India or the States, as the case may be:

Provided that if any question arises whether any premiums are ordinarily paid inside or outside the States or India, the Controller shall decide the question and his decision shall be final."

6. In the Sehedule annexed to the said Rules,—

(i) In form V at the end of note 6 appended to the form, the following words shall be added, namely :—

"If required the applicant shall furnish proof of age."

(ii) in from V-C, in item (1) of paragraph 3, after the word 'individual' the words "Mr./Mrs./Miss" shall be inserted.

(iii) In form V-D—

(*a*) in clauses (i), (ii) and (iii) of paragraph 2, for the words "my firm" wherever they occur, the words "our firm" shall be substituted.

(*b*) In paragraph 3, after the words, figures and letter "clauses 2 and 4 of Part B" the words, figures and letter "clauses 2 and 3 of Part C" shall be inserted.

(iv) in note 1 to form V-E, for the word "desire", the word "desired" shall be substituted.

[No. 102-I.F. (1)/51.]

B. K. KAUL, Dy. Secy.